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3 UNITED STATES DISTRICT COURT
4 WESTERN DISTRICT OF WASHINGTON
5 AT SEATTLE
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8 ROBERT J. RAMOLETE,
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11 Plaintiff,

12 v.
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14 IVY GAINES,
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17 Defendant.

18 NO. C04-1730P
19
20 ORDER OF DISMISSAL
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22 Plaintiff filed a document construed to be a 42 U.S.C. §1983 complaint with this Court on
23 August 4, 2004 (Dkt. Nos. 6 and 11). The Court dismissed this cause of action without prejudice on
24 February 25, 2005, citing the fact that several mailings to Plaintiff had been returned and Plaintiff had
1 filed no updated address with the Court. On July 20, 2005, Plaintiff filed a response to the Magistrate
2 Judge's Report and Recommendations, which had been noted for January 28, 2005, and which had
3 formed the basis for the dismissal of this case (Dkt. No. 14). Although this filing was made almost
4 seven months after the due date for the filing, the Court will consider it in light of the fact that
5 Plaintiff, who is a federal prisoner, appears not to have received his mail and is proceeding *pro se*.
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8 From the most recent filing, it appears that Plaintiff Ramolete is now being held in a Federal
9 detention center in the state of Hawaii. The Court suspects, but does not decide here, that Plaintiff's
10 move from the Federal Detention Center in SeaTac, WA, to a federal facility in Hawaii, may defeat
11 this Court's jurisdiction over this matter. Nonetheless, the Court has reviewed the merits of Plaintiff
12 Ramolete's most recent filing and finds that it does not contain any arguments that are responsive to
13 the Report and Recommendations on which this Court based its previous dismissal of this case.
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16 ORDER OF DISMISSAL - 1
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1 Further, nothing in this recent filing supports any of the previous claims that Plaintiff made to this
2 Court. Therefore, the Court hereby AFFIRMS its previous dismissal of this case.

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4 The clerk is directed to send copies of this order to all counsel of record.

5 Dated: August 1, 2005

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8 Marsha J. Pechman
United States District Judge

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ORDER OF DISMISSAL - 2